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January 24, 2006

VIA ELECTRONIC FILING

The Honorable Patti B. Saris
U.S. District Court
Middle District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way – Suite 2300
Boston, MA 02210

Re: *In Re: Pharmaceutical Industry Average Wholesale Price Litigation*
MDL NO. 1456; Civil Action No. 01-CV-12257-PBS

Dear Judge Saris:

Based on my discussion with Ms. Patch, I understand the Court prefers certain issues be resolved by letter correspondence rather than by motion filed in an already crowded docket.

I represent Dr. Stanley Hopkins, a urologist who maintains a sole practice on the East Coast of Florida. Dr. Hopkins was named as a defendant in the New Jersey AWP class action, with which I am sure the Court is well familiar. That case was removed, ultimately to this Court. Currently pending before this Court is a motion to remand that case to New Jersey State Court, in which Dr. Hopkins joined, and which I understand will be heard this Friday.

Because of the tremendous costs to my client, an individual caught in a massive piece of litigation involving huge corporations, I am informing the Court that I do not intend to appear



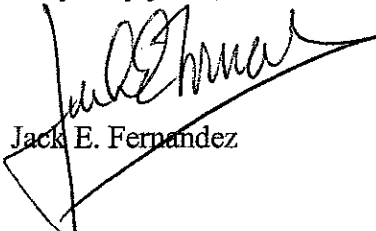
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unless this Court orders otherwise. If the Court seeks my appearance, I request that I be permitted to appear telephonically in this and all future hearings concerning Dr. Hopkins.

Very truly yours,



Jack E. Fernandez

JEF/cmd

Cc: All counsel of record
(via electronic filing)